



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch
CEPOA-CO-R
Post Office Box 6898
Elmendorf AFB, Alaska 99506-0898

PUBLIC NOTICE DATE: 5 April 2006
EXPIRATION DATE: 5 May 2006
REFERENCE NUMBER: POA-2005-1614-4
WATERWAY: Little Campbell Creek

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Arctic Recreational Distributors, Inc., 3074 Commercial Drive, Anchorage, Alaska 99501

AGENT: Steph Engineering, LLC, 3940 Arctic Boulevard, Suite 204, Anchorage, Alaska 99503

LOCATION: Southeast corner of Brayton Drive and Dimond Boulevard within section 8, T. 12 N., R. 3 W., Seward Meridian; USGS Quad Map Anchorage A-8 NW; Latitude 61.142° N., Longitude -149.855° W.; in Anchorage, Alaska.

PURPOSE: To construct an Arctic Cat Snowmobile-ATV-Motorcycle-Boat Dealership and associated infrastructure at an accessible, high-traffic, and high-visibility location with sufficient space available to provide storage of merchandise and to accommodate anticipated growth and expansion.

WORK: To excavate approximately 21,000 cubic yards of material from wetlands, unmapped in the 1996 Anchorage Wetlands Management Plan, involving the removal of approximately 6,000 cubic yards of surface soil and vegetation, and the excavation of 15,000 cubic yards of underlying peat. Approximately 42,000 cubic yards of sand and gravel would be discharged into approximately 3.72 acres of wetlands to support an 11,500 square-foot building and future 8,000 square foot building expansion area, 10,000 square-foot open storage area, 6,000 square-foot covered cold storage area, 12,000 square-foot heated storage area, a driveway access from Brayton Drive, parking for customers and delivery trucks, and areas designated for vegetation screening and stormwater management.

ADDITIONAL INFORMATION: For additional information regarding the proposed project, please refer to the three pages titled, 'Supplemental Information', provided by Steph Engineering, on behalf of Arctic Recreational Distributors, Inc.

MITIGATION: The applicant proposes to pay a fee in-lieu of mitigation, in accordance with the Anchorage Debit-Credit Method, to compensate for unavoidable wetland impacts from the project.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity within the proposed area would not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. **Please contact Ms. Tracy DeGering at (907) 753-2712, toll free from within Alaska at (800) 478-2712, or by email at regpagemaster@poa02.usace.army.mil if further information is desired concerning this notice.**

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

Supplemental information, a plan, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments

BLOCK 18. (Nature of Activity)

The entire parcel is vegetated and includes spruce trees, alder shrubs, and grass meadows. Most of the 6.02-acre parcel is wetland; approximately 4.65 acres (about 75 percent), with the entire non-wetland portion of the parcel limited to the north end of the property.

There is about 10 ft of topographic relief at the site. Small areas of ponded water (0.01 acre) and flooded wet meadow (0.03 acre) occur in a low area midway along the west side of the parcel. These would be avoided by integrating the areas into the design of the required Highway Screening Easement along Brayton Drive. The low area of the parcel is contiguous with the existing drainage ditch along the east side of Brayton Drive. This ditch empties into a culvert under the roadway that diverts water to a sedimentation basin on the north side of Brayton Drive, which has hydrological connection with Little Campbell Creek.

The site is zoned I-1 (Light Industrial) by the Municipality of Anchorage (MOA). The wetland portion of the parcel is not identified in the Anchorage Wetlands Management Plan.

Within the footprint of the fill area, vegetation would be cleared and removed from the site. Clearing would be done prior to April 15 to avoid disturbance to nesting birds. Peat would be excavated in the fill footprint to the limit of its occurrence. Granular fill material (clean sand and gravel) would be hauled to the site and placed into the excavation to replace the peat and form the construction pad. Drainage conduits may be incorporated into the fill to divert stormwater runoff. The clearing and excavation work would be performed using heavy equipment such as excavators, dozers, front-end loaders, and dump trucks. A portion of the trees and brush cleared may be chipped and used onsite for landscaping mulch. Clean fill would be hauled to the site from a local gravel source by dump truck and formed into the construction pad by dozer or front-end loader. Prior to construction activity commencing at the site the boundaries of permitted fill in wetlands will be clearly marked with stakes and flagging.

The project is designed for expansion of the main building to accommodate market growth in the future. The initial excavation and fill placement would accommodate the first phase of the project. Subsequent phases of construction to expand sales and storage areas would occur later to accommodate business growth. Excavation and discharge of fill into wetlands at the site is necessary to construct the project due to the lack of available space in uplands to accommodate all project components. MOA and ADOTPF requirements, such as the size of parking areas and the driveway location, dictate the size and location of some project components, limiting the opportunity to avoid wetlands at the site.

Existing wetland vegetation would be preserved within an island in the parking area on the south side of the parcel; this would receive limited amounts of stormwater runoff from the adjacent parking area and allow it to infiltrate through vegetation and organic soils.

A 30 ft-wide Highway Screening Easement along the west side of the parcel will be planted with trees and shrubs to comply with MOA requirements. The entire length of the Easement, approximately 500 ft, is within wetlands. Trees and shrubs would be planted directly into the existing soil using manual labor or hand-operated equipment. No fill, vehicles, or heavy equipment will be placed into this 0.34-acre area. Native trees and shrubs would be planted into the easement, approximately 100 of each.

A 50 ft-wide band of vegetation screen will be preserved along the north side of the parcel that extends north beyond the Highway Screening Easement along the west side of the parcel. A portion of this vegetation screen includes wetlands (about 60 ft in length) that will not be filled and remain undisturbed.

During construction, stormwater runoff will be controlled by Best Management Practices including installation of silt fencing along the down slope boundary of the permitted fill area and sediment traps in the ditch on the west side of the parcel. Stormwater will be prevented from flowing onto the site by installation of silt fencing along the south side and southeast corner of the project.

The stormwater management plan includes a combination of preserving a portion of the natural vegetation and land surface to receive runoff, augmented by constructed infiltration and detention capacity. These include vegetated buffers, infiltration areas within paved surfaces, engineered subsurface detention. The project is designed to meet MOA storm drainage design criteria and where appropriate will address anticipated revisions to the 2005 Drainage Design Criteria Manual. The development at the site will be designed for detention of a 2-year, 3-hour storm event in compliance with MOA criteria. Discharges from the site during high intensity precipitation events would have relatively minor contribution to downstream ditches. The "10 percent point" location (the downstream location where discharge from the site contributes 10 percent or less of the total flow) for a 10-year, 24-hour storm event is located near the discharge point from the site due to much larger drainage areas upstream. The stormwater detention designed into the development will provide some treatment of potential dissolved and suspended pollutants including hydrocarbons, metals, and sediment that may occur.

Mitigation to compensate for unavoidable wetland impact at the site will consist of fee payment, the amount to be calculated using the Anchorage Debit-Credit Method (December 2000), and paid to an approved conservation organization for implementation of aquatic and wetland restoration within the Little Campbell Creek watershed.

BLOCK 19. (Project Purpose)

Arctic Recreational Distributors, Inc. (ARDI) currently operates from an existing 18,000 sf building located at 3074 Commercial Drive in the Ship Creek industrial district of Anchorage. The storage space at the Commercial Drive facility is limited and ARDI has three separate off-site storage facilities in Anchorage, including a 3,000 sf facility, a 7,200 sf facility, and a 6,000 sf facility. This provides a total of 34,200 sf of inside, covered storage and sales room at 4 different locations. In addition, ARDI has approximately 2 acres of outside storage available at the existing facilities. The proposed project would allow ARDI to consolidate its sales and storage facilities at one location and increase the efficiency of its business operation. An important factor affecting the amount of storage space that the business requires is the large distances to Alaska from the manufacturer's locations in the lower-48 states or overseas. ARDI must maintain a supply of merchandise onsite for its customers in order to remain competitive, otherwise customers will generally go to a competitor for merchandise that is available at the time of sale.

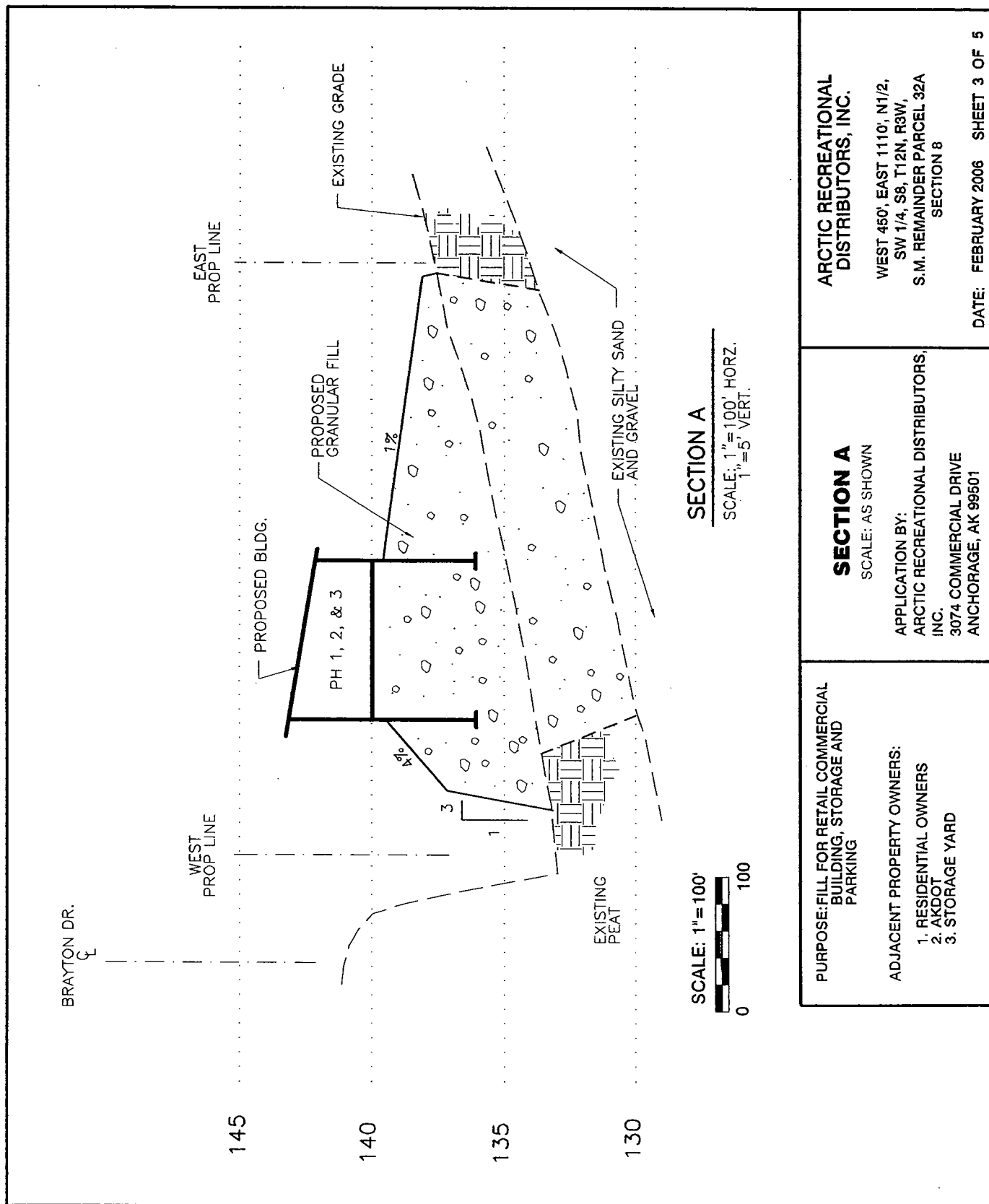
ARDI is in a highly competitive marketplace due to the popularity of snowmachines, ATVs, motorcycles, and boats in Alaska. Three major competitors of ARDI maintain facilities at very accessible and high visibility locations along major roads with high traffic volumes. One of the major competitors operates at a location similar to the proposed site in that it is highly visible and accessible from the large volume of traffic on the Seward Highway. The other major competitors operate from a similar high-visibility and large traffic volume areas along the Glenn Highway.

Alternatives to the proposed project that would reduce the potential wetland impacts include: 1) expansion of the existing facility, 2) locating the new facility at an alternate upland site, 3) reducing the wetland impact at the proposed site, and 4) no action. Expansion of the existing facility on Commercial Drive would not satisfy the criteria for storage of merchandise onsite, nor would it provide for high visibility and traffic given the industrial setting. Alternate upland sites that satisfy the criteria for available space, visibility, and traffic to the extent that the proposed site provides these do not exist or are not available at reasonable cost. Modification of the proposed design at the Brayton Drive location to avoid wetlands is not practicable due to the large portion of the parcel that is wetland (approximately 75 percent of the area) and the requirements for storage, parking, driveway access, and other infrastructure at the site. No action at the site would result in the site remaining undeveloped or development of the property by others. If the site's wetlands remain undeveloped the natural functions provided such as retention and filtration of stormwater/snowmelt runoff and wildlife habitat would be maintained. No action would put ARDI at a competitive disadvantage and would limit the potential for sales and profit.

BLOCK 20. (Reasons for Discharge)

The size and shape of the parcel, municipal zoning requirements, and restrictions on driveway access limit the configuration of the proposed construction. The non-wetland portion of the parcel occupies the north end of the property. The non-wetland portion of the parcel by itself is not large enough in area to accommodate all of the buildings, parking, and storage areas needed to construct the project. A zoning requirement for 50-ft building setback and 30-ft of vegetation screening along Brayton Drive further limits the amount of upland available for construction at the site. The location of the access driveway connecting to Brayton Drive is restricted to the

southern portion of the parcel to accommodate traffic patterns. Wetland impacts would not be avoided by limiting the sizes of the development to the planned initial phase.



SECTION A

SCALE: AS SHOWN

APPLICATION BY:
ARCTIC RECREATIONAL DISTRIBUTORS,
INC.
3074 COMMERCIAL DRIVE
ANCHORAGE, AK 99501

PURPOSE: FILL FOR RETAIL COMMERCIAL
BUILDING, STORAGE AND
PARKING

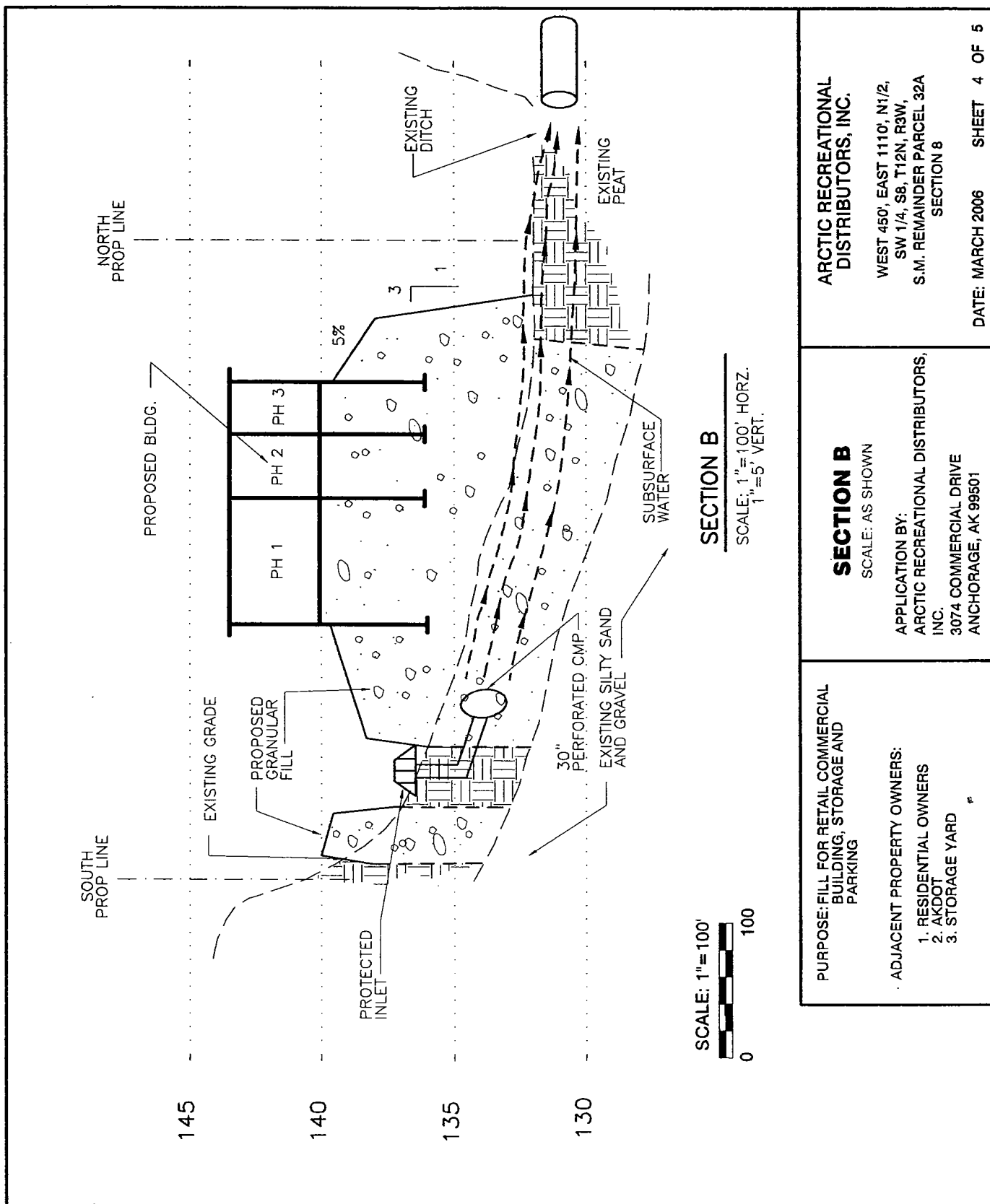
ADJACENT PROPERTY OWNERS:

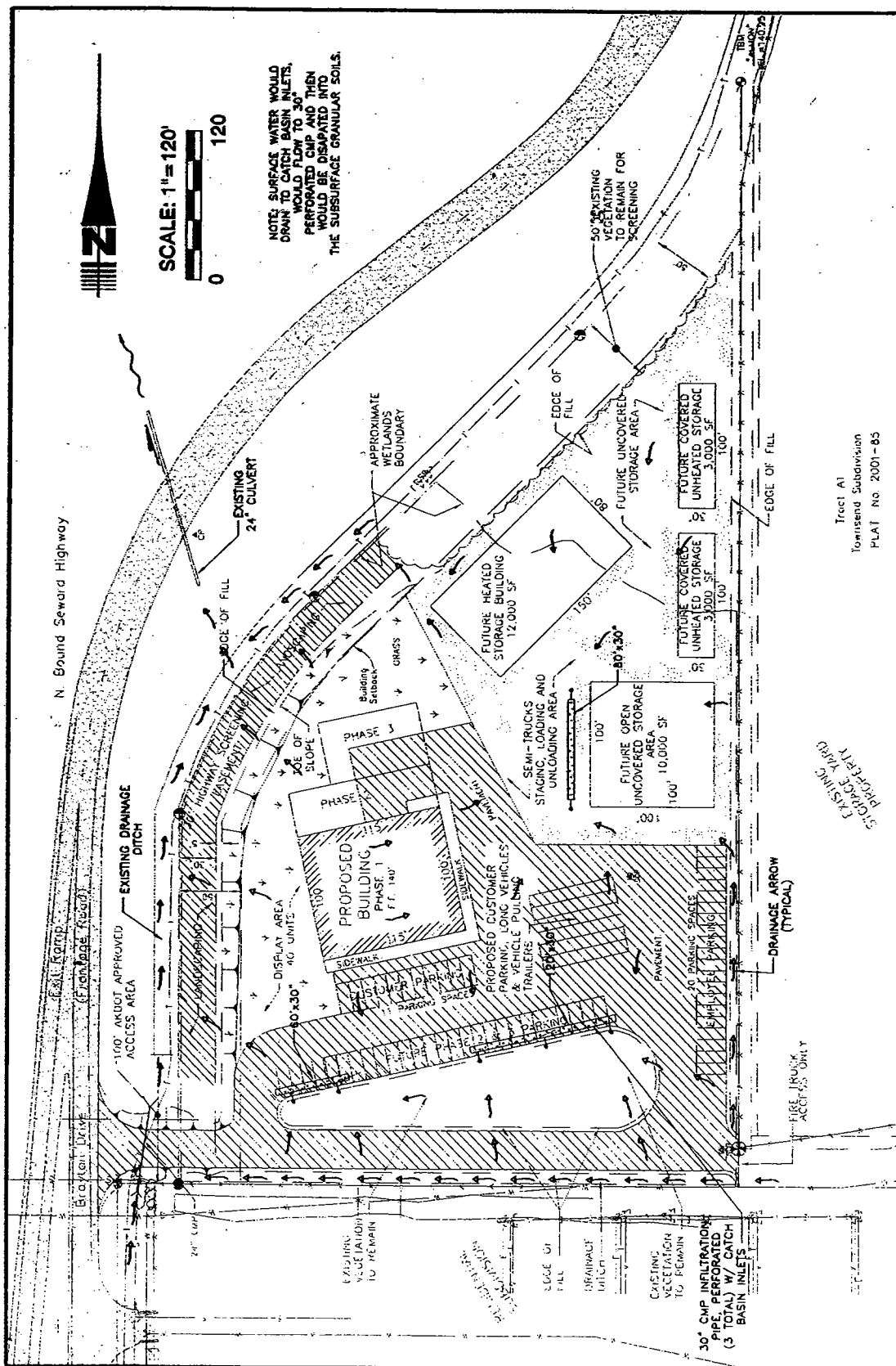
1. RESIDENTIAL OWNERS
2. AKDOT
3. STORAGE YARD

ARCTIC RECREATIONAL DISTRIBUTORS, INC.

WEST 450', EAST 1110', N1/2,
SW 1/4, S8, T12N, R3W,
S.M. REMAINDER PARCEL 32A
SECTION 8

DATE: FEBRUARY 2006 SHEET 3 OF 5





<p>PURPOSE: FILL FOR RETAIL COMMERCIAL BUILDING, STORAGE AND PARKING</p> <p>ADJACENT PROPERTY OWNERS:</p> <ol style="list-style-type: none"> 1. RESIDENTIAL OWNERS 2. AKDOT 3. STORAGE YARD 	<p>DRAINAGE PLAN</p> <p>SCALE: 1"=120'</p> <p>APPLICATION BY: ARCTIC RECREATIONAL DISTRIBUTORS, INC. 3074 COMMERCIAL DRIVE ANCHORAGE, AK 99501</p>	<p>ARCTIC RECREATIONAL DISTRIBUTORS, INC.</p> <p>WEST 450', EAST 1110', N1/2, SW 1/4, S6, T12N, R3W, S.M. REMAINDER PARCEL 32A SECTION 8</p> <p>DATE: MARCH 2006 SHEET 5 OF 5</p>
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STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-2005-1614, Little Campbell Creek, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
555 Cordova Street
Anchorage, Alaska 99501-2617
Telephone: (907) 269-7564
FAX: (907) 269-7508